

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD H. GARDNER, p/k/a
BLACKA NICE,

Plaintiff,

-against-

RAMON LUIS AYALA-RODRIGUEZ, p/k/a
DADDY YANKEE, et al.,

Defendants.

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07 Civ. 06535 (RJS) (DF)

ORDER

DEBRA FREEMAN, United States Magistrate Judge:

The Court having held a telephone conference on July 28, 2008, with counsel for all parties, it is hereby ORDERED that:

1. The deadline for plaintiff to respond to defendants' outstanding interrogatories and document requests is extended to August 11, 2008. No further extensions will be granted, and any objections to these requests are deemed to have been waived by plaintiff as a result of plaintiff's failure to serve its responses in a timely manner. *See* Fed. R. Civ. P. 33(b)(4), 34(b); *Techsearch Servs. Inc., v. Gorman*, No. 97 Civ. 7641 (JSM)(KNF) 1999 U.S. Dist. LEXIS 518, at *5-6 (S.D.N.Y. Jan. 21, 1999) ("Failure to respond timely to a party's request for documents results in a waiver of all objections which could have been seasonably asserted.") (internal citations omitted).

2. Plaintiff's deadline to serve his initial interrogatories and document requests on defendants is extended to August 1, 2008.

3. The deadline for the completion of all fact depositions is extended to September 12, 2008.

4. The deadline for the completion of fact discovery remains September 29, 2008, except that the parties are directed to confer in good faith regarding a potential extension of the deadline to exchange requests for admissions.

5. Counsel are directed to jointly initiate a telephone conference with the Court on September 9, 2008, at 10:00 a.m.

Dated: New York, New York
July 30, 2008

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copies to:

Hon. Richard J. Sullivan, U.S.D.J.

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